

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. On June 29, 2023, Petitioner Kitrich A. Powell, who is represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 245), along with a motion for leave to conduct discovery (ECF No. 248) and a motion for an evidentiary hearing (ECF No. 247). Under the scheduling order in this case (ECF No. 100), Respondents then had 30 days—until July 31, 2023 (July 29 was a Saturday)—to file a reply to Powell’s opposition to the motion to dismiss and responses to Powell’s two motions.

On July 28, 2023, Respondents filed a motion for extension of time (ECF No. 252), requesting a 45-day extension, to September 14, 2023. Respondents’ counsel states that the extension of time is necessary because of the complexity of the motion to dismiss, and because of her obligations in other cases. Respondents’ counsel represents that Powell does not oppose the motion for extension of time. The Court finds that Respondents’ motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

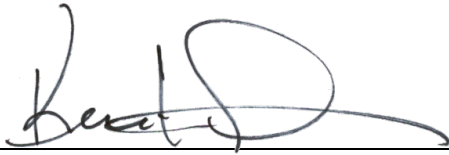
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IT IS THEREFORE ORDERED that Respondents’ Motion for Enlargement of Time (ECF No. 252) is **GRANTED**. Respondents will have until and including **September 14, 2023**,

1 to file their reply to Petitioner's opposition to the motion to dismiss and responses to Petitioner's
2 motion for leave to conduct discovery and motion for an evidentiary hearing. In all other
3 respects, the schedule for further proceedings set forth in the order entered August 24, 2020
4 (ECF No. 100) will remain in effect.

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6 DATED THIS 7th day of August, 2023.

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9 KENT J. DAWSON
UNITED STATES DISTRICT JUDGE